IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 30302 of 2007(G)

PETITIONER:

K.JANARDHANAN, S/O.KESAVAN NAIR,
KUNNUMPURTH, SREE NILAYAM, MARAYAMANGALAM,
PALAKKAD.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, CO-OPERATIVE DEPARTMENT, SECRETARIAT,
TRIVANDRUM.

2. THE GENERAL MANAGER/AUTHORISED OFFICER,
CHERPALCHERI CO-OPERATIVE URBAN BANK LIMITED ,
NO.1696, CHERPALCHERI, PALAKKAD.

3. THE CHERPALCHERI CO-OPERATIVE URBAN
BANK LIMITED , NO.1696, CHERPALCHERI, PALAKKAD.

4. THE JOINT REGISTRAR (GENERAL),
CO-OPERATION, PALAKKAD.

BY ADV. SRI.V.K.BALACHANDRAN
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.C.NO.30302 OF 2007

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE JUDGMENT IN W.P.C.NO.24516/06 DTD. 18-9-06**
EXT.P2	**TRUE COPY OF THE CASH RECEIPT DTD. 18-10-06**
EXT.P3	**TRUE COPY OF THE CASH RECEIPT DTD. 26-12-06**
EXT.P4	**TRUE COPY OF THE CASH RECEIPT DTD. 27-1-207**
EXT.P5	**TRUE COPY OF THE SALE NOTICE DTD. 10-09-07**
EXT.P6	**TRUE COPY OF THE LETTER DTD. 23-11-06**
EXT.P7	**TRUE COPY OF THE LETTER DTD. 28-08-07**
EXT.P8	**TRUE COPY OF THE CASH RECEIPT DTD. 16-10-2007**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(c).No. 30302 OF 2007

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Dated this the 25th day of October , 2007

JUDGMENT

Petitioner availed a loan. It is not repaid. I heard learned counsel for the petitioner and the learned counsel for the respondent-Bank. Learned counsel for the petitioner prays that petitioner may be permitted to pay off the entire amount in instalments.

Having heard learned counsel for the parties, the writ petition is disposed of permitting the petitioner to pay off the amount remaining to be paid after paying an amount of Rs. 50,000/- (Rupees fifty thousand) remaining to be paid under the interim order dated 15/10/2007 in five equal monthly instalments. In other words, petitioner is permitted to pay off the balance amount remaining to be paid after payment of Rs. 50,000/ as per the interim order in five equal monthly intalments. After the petitioner pays Rs. 50,000/- remaining to be paid as per the interim order, within ten days from the date of payment of the amount, a statement shall be served on the

petitioner by the third respondent showing the exact amount payable by the petitioner and also the amount of instalments on the basis that the amount is to be paid in 5 equal monthly instalments. The first instalment shall be payable on or before 01/12/2007. Further instalments are to be paid on or before the 1st working day of every succeeding months. If the petitioner does not pay Rs. 50,000/- remaining to be paid as per the interim order dated 15/10/2007 within two weeks from 22/10/2007 or any of the instalments, it is open to the respondent-Bank to proceed against the petitioner in accordance with law.

(K.M.JOSEPH, JUDGE)

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